

PATENT APPLICATION #3



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q88668

Shinya YOSHIDA, et al.

Appln. No.: 10/540,421 ✓

Group Art Unit: Not yet assigned

Confirmation No.: Not yet assigned

Examiner: Not yet assigned

Filed: June 24, 2005

For: NOVEL BENZAMIDE DERIVATIVES AND PROCESS FOR PRODUCING THE SAME

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /BR/

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U.S. Appln. No.: 10/540,421

filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

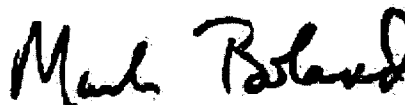
In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents WO 00/75133 and JPA 2-138172, Applicant encloses herewith a copy of the corresponding International Search Report citing such documents, indicating the degree of relevance found by the International Bureau. Also, English abstracts have been provided for those two documents, and WO 00/75133 is cited and discussed in the present specification at page 3. Applicants have also advised that EP 1186601 and USP 6,573, 279, each cited herein, correspond to WO 00/75133.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

INFORMATION DISCLOSURE STATEMENT  
U.S. Appln. No.: 10/540,421

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



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23373

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Date: October 12, 2005

Substitute for Form 1449 A & B/PTO		Complete if Known	
<b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>		Application Number	0540,421
		Confirmation Number	Not yet assigned
		Filing Date	June 24, 2005
		First Named Inventor	Shinya YOSHIDA
		Art Unit	Not yet assigned
		Examiner Name	Not yet assigned
		Attorney Docket Number	Q88668
Sheet	1	of	1

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US 6,573,279		06/03/2003	Watanabe et al.
		US			
		US			
		US			
		US			
		US			
		US			
		US			

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		EP	1 186 601	A1	03/13/2002		English
		WO	00/75133	A1	12/14/2000		Abstract
		JP	2-138172	A	05/28/1990		Patent Abstracts of Japan

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		International Search Report dated March 18, 2004	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST-3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbol as indicated on the document under WIPO Standard ST-16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached. /BR/